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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
JESUS MEJIA, aka  
ELIXANDRO NEVARES LOPEZ,  
  
Defendant.

CASE NO. 1:05CR00048 AWI-BAM  
((015))

STIPULATION REGARDING  
EXCLUDABLE TIME PERIODS  
UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by  
and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status conference on Monday, March 24,  
2014, at 1:00 p.m.

2. By this stipulation, defendant now moves to continue the matter to Tuesday, May 27,  
2014, at 1:00 p.m. Plaintiff concurs with this request. Should the parties reach a resolution before  
May 27, the parties will move to advance the hearing date for a change of plea.

3. The parties agree and stipulate, and request that the Court find the following:

a. Counsel for defendant desires additional time to review newly obtained discovery,  
consider the government's recently issued plea offer, discuss the matter with his client, and conduct

1 further investigation.

2 b. Counsel for defendant believes that failure to grant the above-requested continuance  
3 would deny him/her the reasonable time necessary for effective preparation, taking into account the  
4 exercise of due diligence.

5 c. The government does not object to the continuance.

6 d. Based on the above-stated findings, the ends of justice served by continuing the case  
7 as requested outweigh the interest of the public and the defendant in a trial within the original date  
8 prescribed by the Speedy Trial Act.  
9

10 e. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et  
11 seq., within which trial must commence, the time period of March 24, 2014, to May 27, 2014,  
12 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) because it results from  
13 a continuance granted by the Court at defendant's request on the basis of the Court's finding that the  
14 ends of justice served by taking such action outweigh the best interest of the public and the  
15 defendant in a speedy trial.  
16

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of  
18 the Speedy Trial Act dictate that additional time periods are excludable from the period  
19 within which a trial must commence.

20 IT IS SO STIPULATED.

21  
22 DATED: March 13, 2014

Respectfully submitted,

23 BENJAMIN B. WAGNER  
24 United States Attorney

25 /s/ Karen A. Escobar  
26 KAREN A. ESCOBAR  
Assistant United States Attorney

27 DATED: March 13, 2014  
28

## ORDER

IT IS SO ORDERED.

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE